

An open work session of the Board of Education of the City of Vineland was held in the Board Room, 625 Plum Street, Vineland, New Jersey, Wednesday, February 4, 2009 at 7:02 p.m., pursuant to notice with Mr. Giordano presiding and the following members present: Mr. Bernardini, Mr. DeWinne, Mr. Evans, Mr. Fanucci, Ms. Rios, Mr. Spinelli and Mr. Ulrich. Absent: Mr. Franceschini.

Also present: Mr. Ottinger, Superintendent, Dr. Figgs and Dr. Gruccio, Assistant Superintendents, Mr. Franchetta, Board Secretary, Mr. DeSanto, Board Solicitor, Mrs. Polof, Director of Special Education, Ms. Greenfield, Executive Director of Personnel, press and public. Absent: None.

Mr. Giordano announced that in compliance with the New Jersey meeting law commonly referred to as "The Sunshine Law," the Vineland Board of Education has caused notice of this meeting.

Flag salute:

Special

Presentations: None.

Comments by

Board Solicitor: None.

Items for Review:

A. Superintendent

1. **Personnel Items** – Mr. Ulrich asked if the guidance position was a rified employee. Ms. Greenfield said it is a person that was in a special education position and had been a non-tenured guidance counselor.

Mr. Giordano asked if the reason for the better then one year notice would be changes in the regulations and guidelines. Ms. Greenfield responded yes.

Mr. Fanucci asked if there is a reason that all the retirements are effective July 1, 2010 except for one, which is January 1, 2010. Ms. Greenfield said the deadline was extended to February 1 for anyone during that school year to keep certain benefits. She said this individual did not want to wait until the end of the year.

2. **Personnel Item/Employment** – Dr. Figgs said this item is recommended by the Assistant Superintendent of Administration in accordance with Board Policy #3125.1 “Nepotism (Teaching Staff).”

Mr. Ulrich said he understands that the teacher is in the position for a year as a substitute. Ms. Greenfield said yes.

3. **Placement of Special Education Students** – No discussion.
4. **Submission of Grants** – No discussion.
5. **Acceptance of Funds** – No discussion.
6. **Bids** – No discussion.
7. **Travel** – No discussion.
8. **Vacation Day Payment** – Mr. Giordano asked if we are at the point now where we just wait for people to step forward. Mr. Franchetta said these are the people that are not part of the class action law suit and as they come forward they are researched and processed. Mr. Giordano asked what about those who are part of the class action law suit. Mr. Franchetta said that piece has been paid.

Mr. DeWinne asked why there are three individuals on the list with no amounts. Mr. Franchetta said they are people who put a claim in but have no amount due them. Mr. DeSanto said anyone who claims time before 2003 has passed the statute of limitations to make a claim. He said for each year that goes by a year gets moved up. Mr. Giordano asked if after the statute of limitations can someone come forward and say they did not know. Mr. DeSanto said they can not.

9. **403b Plan Document and Adoption Agreement** – Mr. Giordano asked for an explanation on this item.

Mr. Franchetta explained that on January 1st the Internal Revenue Service put in place new rules regarding 403b plans that we administer. The 403b plans are tax shelters that the employees are entitled to. Mr. Franchetta said by the new code we had to have in place a planned document that spells out the terms and conditions of the plan such as deposits and withdrawals.

Mr. Spinelli asked if we have a finished document. Mr. Franchetta responded yes. He said we have a third party company, GWN Securities that is administering this and handling all the paperwork. Mr. Spinelli asked if a vendor attempts to come in to solicit 403b's they would have to go through GWN. Mr. Franchetta said after the board approves them as a vendor they would have to sign an adoption agreement and apply to the terms that we require.

Mr. Fanucci asked if there is a reason that we do not want to make a Roth available. Mr. Franchetta said because we never had Roth's in the district he wanted to get the plan in place with no changes before adding new provisions.

Continued

Mr. Fanucci asked if we plan on making Roth contributions available in the future. Mr. Franchetta said that is something we can negotiate with the staff. Mr. Fanucci cautioned that with anything in respect to a Roth plan there is a legislative risk of something being changed in a code tax wise.

Mr. DeWinne asked in order to add Roth would we just make a plan amendment. Mr. Franchetta responded yes.

10. **Early Childhood Program Aid Operational Plan Budget 2009-2010-** Mr. DeWinne asked if the facilities cost is borne by our operating budget. Mr. Franchetta said that is equipment and non-instructional equipment. Mr. DeWinne asked about the utilities. Mr. Franchetta said he thinks the utilities are covered through the general fund.
11. **State Tuition Students** – No discussion.
12. **Sheppard Bus Service Contract** – Mr. Spinelli asked if this is for special needs students. Mr. Ottinger said it is the after school SES middle school tutoring program.
13. **CCEC Joint Transportation Agreement** – No discussion.
14. **Catapult Learning Agreement** – Mr. Giordano asked if this contract has been reviewed and is ready to go. Mr. DeSanto said he has reviewed the contract and the changes were sent to Catapult but they have not responded yet.

Mr. Spinelli asked if this can be taken off the agenda until the corrected agreement is returned. Mr. Ottinger said if they do not respond by next Wednesday it will be taken off the agenda.
15. **Teacher in Training Agreements** – Mr. Spinelli asked if this was for student teaching. Mr. Ottinger responded yes.
16. **Election Workers Hourly Rate** – No discussion.
17. **Spring Season Athletic Schedule** – No discussion.
18. **Wal-Mart Donation** – Mr. Bernardini mentioned that \$500 was going to the school store.
19. **New Horizon Child Enrichment Center Memorandum of Understanding** – Mr. Franchetta mentioned that the contract was changed today and the dates need to be corrected to read May 1, 2009 through April 30, 2010.

Continued

Mr. DeWinne asked for an explanation on this Memorandum of Understanding. Mr. Franchetta said this is one of our Early Childhood Providers. He said they receive federal funding as a Head Start provider and need this memorandum in place for their records if they have a federal audit.

20. **Approval of Titles to be included in Recognition Clause of the VASA Collective Bargaining Unit** – Mr. Spinelli said this was discussed at the Finance Committee meeting and these positions would be placed into the VASA contract but the salaries would stay stationary until renegotiation of VASA.

Mr. Ulrich asked if this would be just for representation purposes such as grievances. Mr. Ottinger said yes and they do not automatically get what is presently in the VASA contract. He said it would be at the board's discretion for the next contract. Mr. Ulrich said that he sees potential issues with negotiating. Mr. Ottinger said there definitely will be in regard that the board will have to make a decision if they want to grant these individuals with the present rights, privileges and benefits they currently have.

Mr. Giordano said it was his understanding that nothing applies in the current contract. Mr. Ottinger said that is correct. Mr. Spinelli said when the contract is renegotiated they will all be issues because some of these positions do not have the same rights and privileges that some people in VASA already have.

Mr. Ulrich wanted to make it clear that by agreeing to this now it would strictly be for grievance procedures. He said that he does not know what standing this group would have by going into VASA now. Mr. Spinelli said it his understanding that they would have no standing other then a membership. He said when VASA renegotiates their contract this group would be included in that process. Mr. Ulrich asked what the benefit is for entering into VASA now if you have no standing in grievance procedures or negotiations. Mr. Spinelli said he thinks the benefit of doing this now is because VASA starts to negotiate their process before the contract is over. Mr. Ulrich asked if any of these employees have confidential titles. Mr. Spinelli said he does not believe any of them do.

Mr. Ottinger mentioned that he spoke to Mr. Giordano about the high school neglecting to submit their HESPA half days for students only. He said there will be a formal proposal on the agenda for next week. Mr. Giordano asked what the dates are. Mr. Ottinger said March 2, 3 and 4.

- B. Board
1. None.

Review of Bills: None.

Public Comments: None.

Committee Reports: Mr. Bernardini said discussed at the Buildings & Grounds Committee meeting was the stimulus package. He said all the items that were denied such as the VHS boiler, air conditioning, burglar/fire alarms and Landis roof were resubmitted in the stimulus package. Mr. Bernardini said if the stimulus package passes we could receive about seven and a half million dollars.

Mr. Evans asked if all these projects are shovel ready. Mr. Wayne Weaver, the Executive Director of Physical Facilities, said they all are planned and could be advanced quickly.

Mr. Ulrich asked how long the bid process would take. Mr. Weaver said if it is done like a 13A Grant it would be submitted back to the district. He said we would develop the specs, contract documents and do the bidding process here.

Mr. Spinelli said at the Finance Committee Meeting they discussed the VASA issue that is on tonight's agenda. He said they were given a finalized estimated budget, which he will include in his packet for next week. Mr. Spinelli said the budget is pretty much intact where we need it with no tax increase at this point in time.

Mr. Ulrich said discussed at the Curriculum & Technology Committee meeting was a Teen Pregnancy Educational Program that would involve a change or addition to the health curriculum. He said there is no cost to the district for this program and would strictly involve benefits to the students.

Mr. Fanucci asked if we are bringing GWN Securities on as a third party administrator. Mr. Franchetta responded yes. Mr. Fanucci asked if they are in place now. Mr. Franchetta responded yes. Mr. Fanucci asked Mr. Franchetta if he is adding extra work on himself by being the primary contact. Mr. Franchetta said he does not know if there is much choice. He said some school districts are doing this on their own. Mr. Fanucci said having a third party administrator leaves a lot of liability because they are responsible for making sure all of the provisions are met. Mr. Fanucci asked Mr. Franchetta if taking this on is the best thing for the district with the workload that he has. Mr. Franchetta said until there is a good process in place he wants to have a third party administrator.

Unfinished Business: Mr. DeWinne asked if there was going to be an Open Source Software presentation held tomorrow. Mr. Evans said to contact Steve Dantine. He highly recommends for the board to attend this webinar because it is an extremely powerful product that costs the district nothing. Mr. Evans said that he does not understand why we would want to spend hundreds of thousands of dollars and other fees for a commercial product when there is an option out there that is highly effective.

Mr. Fanucci said he read the email from this company, which was very informative. He said they must be a company that stepped up to the plate to take this kind of software on head on. Mr. Fanucci said they are pretty unique on what they are able to provide.

Mr. Evans said this company was more than willing to say you could take it right now download it and use it. He said they make their money on upkeep and maintenance and we would be saving hundreds of thousands of dollars on the purchase as well as licensing fees.

Mr. Fanucci asked if this kind of software is secure. Mr. Evans said yes.

Mr. Ulrich asked if the IT staff has the personnel, support and availability to implement, maintain and develop this program. Mr. Evans said you do not get staff when you buy commercial. He said this company supports their product. Mr. Ulrich said there is always a cost to everything. He said this is not a decision that we should jump into and has to be what our staff needs. Mr. Evans said you have to make an educated decision not just an easy decision. Mr. Ulrich said he wants input from our professional staff through recommendations from Mr. Ottinger. He said these are the people who have to live with the piece of software that we choose and that is information that is important to him as one board member.

Mr. Spinelli said it would behoove us to have Mr. Dantine show the board what each program can and can not do.

Mr. Giordano asked for a cost comparison on all the programs.

Mr. Spinelli asked for the back end costs for Open Source. Mr. Franchetta said we are scheduled tomorrow to look at it.

Mr. Giordano asked Mr. Ottinger if he had the chance to meet with the staff at Landis School. Mr. Ottinger said he will do that in the near future.

Mr. Giordano said probably in May a district wide survey will be sent out regarding the small learning communities. He asked who would develop the questions for the survey. Mr. Ottinger said he spoke to a couple of principals today and they were planning on doing that. Mr. Giordano asked if the survey will be sent to the staff or parents. Mr. Ottinger said it would be appropriate to send the survey to everyone.

Mr. DeWinne expressed his concern in regards to the information handed out by an administrator on the Landis School issues. Mr. Giordano said the information was given to the superintendent to review.

New Business: None.

Adjournment: The Board adjourned to executive session at 7:56 p.m.

Respectfully submitted,

Kevin J. Franchetta, CPA
Board Secretary

KJF:df